

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CHRISTOPHER MARSHALL

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Petitioner

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v.

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**CRIMINAL NO. JKB-11-0488
CIVIL NO. JKB-13-1910**

UNITED STATES OF AMERICA

*

Respondent

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MEMORANDUM

Upon Mr. Marshall's Motion to Vacate (ECF No. 106) and his brief in support thereof (ECF No. 107), the Government's response thereto (ECF No. 115), and the entire record, the motion will be denied by accompanying order.

Careful review of the record and the parties' submissions reveals that the Defendant received vigorous and effective representation during the pendency of his criminal case. The representation provided by counsel met and exceeded the standards articulated by the Supreme Court in their opinion deciding *Strickland v. Washington*, 466 U.S. 668 (1984). In particular, counsel's performance was well within the range of competence normally demanded of attorneys in criminal cases. In considering Mr. Marshall's arguments and after reviewing the record, the Court finds no instances where counsel's performance was deficient, and certainly no deficiencies that prejudiced the Defendant. The record demonstrates that Mr. Marshall entered a knowing and voluntary plea of guilty. The guilty plea colloquy was thorough and it revealed that Mr. Marshall fully understood his rights in the circumstances and had voluntarily elected to plead guilty on the terms set out during the arraignment. Moreover, his lawyer continued to vigorously and effectively advocate for him during the sentencing process. Counsel made those

arguments in mitigation that he could reasonably present, and he achieved some success in that the Defendant did not receive a “career offender” sentence despite being eligible therefor.

There is no basis for granting the relief that Mr. Marshall requests. His Motion to Vacate Pursuant to 28 U.S.C. § 2255 (ECF No. 106) will be denied by accompanying order.

DATED this 27th day of November, 2013.

BY THE COURT:

/s/
James K. Bredar
United States District Judge